

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

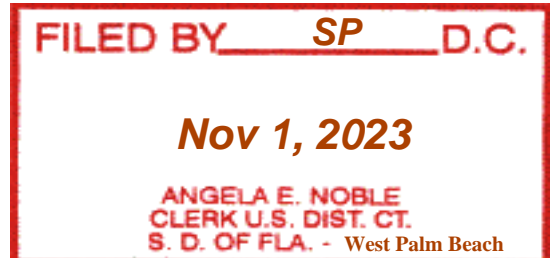
CASE NO. 23-MJ-8538-RMM

UNITED STATES OF AMERICA

v.

MALIK HOSEA ATKINSON,

Defendant



CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)?
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)?
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023?

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By: Gregory Schiller
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UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

Malik Hosea Atkinson

Case No. 23-MJ-8538-RMM

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 2022 - June 2022 in the county of Palm Beach and Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section

18 U.S.C. § 2251(a)

18 U.S.C. § 2422(b)

Offense Description

Production of child pornography

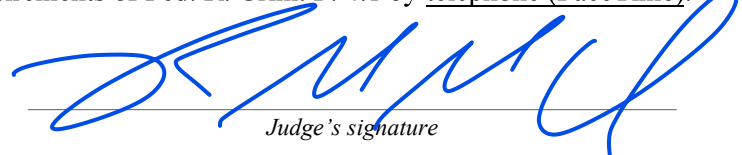
Enticement of a minor to engage in sexual activity

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.*Complainant's signature*

FBI Special Agent Sara Talley

*Printed name and title*Subscribed and sworn to before me in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone (FaceTime).Date: 11/01/2023*Judge's signature*City and state: West Palm Beach, Florida

United States Magistrate Judge Ryon M. McCabe

Printed name and title

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Sara Talley, a Special Agent with the Federal Bureau of Investigation (“FBI”) being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since 2016 and am currently assigned to Miami Division, Palm Beach County Resident Agency. While employed by the FBI, I have investigated a variety of federal criminal violations, including but not limited to crimes against children, matters related to child pornography, sexual exploitation of minors and child pornography using facilities of interstate or foreign commerce. Moreover, I am a federal law enforcement officer engaged in enforcing criminal laws of the United States, including 18 U.S.C. §§ 2251, 2252, 2252A and 2422 et seq.

2. I am submitting this affidavit in support of a criminal complaint and arrest warrant for **MALIK ATKINSON**, year of birth: 1998, social security number: XXX-XX-6009. I submit there is probable cause to believe that beginning at least in or about April 2022, and continuing through in or about June 2022, in the Southern District of Florida and elsewhere, **ATKINSON** produced child pornography, in violation of 18 U.S.C. § 2251(a), and enticement of a minor to engage in sexual activity, in violation of 18 U.S.C. § 2422(b). The term “child pornography,” as used in this affidavit, refers to the definition set forth in 18 U.S.C. § 2256(8)(A).

3. The facts set forth in this affidavit are based upon my personal knowledge, information obtained from others involved in this investigation, including other law enforcement officers, my review of documents and information gained through training and experience. Since this affidavit is being submitted for the limited purpose of establishing probable cause to support a Criminal Complaint, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those facts I believe are necessary to establish probable cause to

believe that **MALIK HOSEA ATKINSON** (hereinafter referred to as “ATKINSON”) has violated Title 18, United States Code, Section 2251(a) (production of child pornography), and Title 18, United States Code, Section 2422(b) (enticement of a minor to engage in sexual activity) at least as early as April 2022 and continuing through June 2022.

4. FBI Miami Division was provided credible information from FBI Los Angeles Division that a Discord user (hereinafter “User 1”) in California was communicating sexually with another user believed to be a minor child (hereinafter “Minor Victim 1”). This information was confirmed through User 1’s Discord communication with Minor Victim 1, wherein Minor Victim 1 was 13 years of age. A subpoena response from Discord for Minor Victim 1’s account to identify her included IP logs that, per AT&T records belonged to a residence located in West Palm Beach, Florida. That same day, your affiant made contact with the residents of the West Palm Beach, Florida address, including a minor (who was 15 years’ old) and was confirmed to be Minor Victim 1. With parental consent, Minor Victim 1’s phone and computer were seized, and Minor Victim 1 was interviewed.

5. Minor Victim 1 stated that she joined Discord in approximately 2017 to 2018.¹ Minor Victim 1 advised she produced and distributed sexual images and videos of herself at the request of adult males she met through online forums like Discord; some of them paid her for this content in the form of gift cards or games.

6. Over the course of this investigation and during separate interviews, Minor Victim 1 described one particular Discord user (hereinafter “User 2”), an African American adult male, that she initially met on Twitter in approximately the first half of 2022 (later identified as the defendant, Malik Hosea ATKINSON). ATKINSON told Minor Victim 1 that he was 25 years old,

¹ The victim’s year and month of birth is 2006.

and Minor Victim 1 said she was 13 years old. Minor Victim 1 did not know ATKINSON's real name, so she referred to him as "Bearie." ATKINSON told Minor Victim 1 that he wanted to meet her in person. Initially, Minor Victim 1 felt uncomfortable meeting in person. As their conversation progressed, Minor Victim 1 eventually agreed to meet ATKINSON in person.

7. During the first half of 2022, ATKINSON picked up Minor Victim 1 before school and they had sex in ATKINSON's white work van. Minor Victim 1 described the white work van as having a small red and white logo on the door. Prior to meeting in person, ATKINSON had previously agreed to pay Minor Victim 1 \$40 for sex with her, however Minor Victim 1 advised that she forgot to collect the money and later told ATKINSON not to worry about paying her.

8. Minor Victim 1 and ATKINSON continued to communicate after their initial meeting and met approximately three or four more separate times to engage in sex in ATKINSON's white work van. Minor Victim 1 was aware that ATKINSON recorded the sexual encounters. ATKINSON produced approximately four different videos of the sexual encounters with Minor Victim 1 during the first half of the year in 2022. Minor Victim 1 advised she felt a strong emotional connection to ATKINSON.

9. After some time, a person that Minor Victim 1 described as an online "friend" persuaded Minor Victim 1 to produce and sell self-recorded images and videos of the MINOR VICTIM engaging in sexual activities to ATKINSON and others. To hide the cash she would receive, Minor Victim 1 initially requested that ATKINSON and other subjects purchase gift cards for her from Roblox and DoorDash. After ATKINSON and the MINOR VICTIM became more comfortable with each other, ATKINSON gave Minor Victim 1 his CashApp and PayPal account information. Minor Victim 1 began asking other subjects to pay those online accounts. ATKINSON kept most of the earnings from the videos and recordings that Minor Victim 1

produced. Minor Victim 1 occasionally asked for some of the earnings from ATKINSON in the form of small amounts of cash and gift cards. ATKINSON also purchased food for Minor Victim 1 and played video games with her. When ATKINSON received notifications that his online internet money transfer applications received money, he would confirm with Minor Victim 1 that she had sold images or recordings.

10. In November 2017, 2022, Discord produced records for Minor Victim 1's account pursuant to a federal search warrant, including messages between the Minor Victim 1's account and Discord username "unknown_value#5871" (identified as ATKINSON's account). The communication provided were as early as May 4, 2022, likely began before this date, and continued through May 20, 2022; communication may have also occurred outside Discord. A sampling of several of those communications on May 4, 2022, at 11:31 (UTC) through 14:08 (UTC) were as follows:

ATKINSON	<i>Yeah I'm pretty comfortable texting on here more than my regular nsfw² Twitter but</i>
ATKINSON	<i>Let's get to know each other!</i>
MINOR VICTIM 1	Ok!
ATKINSON	<i>So telll@me more about yourself</i>
MINOR VICTIM 1	I'm melody or sock! I'm 13 in highschool and I like drawing and playing video games
ATKINSON	<i>Oh? Well video games we both have in common lol</i>
ATKINSON	<i>Favorite game?</i>
MINOR VICTIM 1	Probably Fnaf
ATKINSON	<i>Oooh that game is good lol. I think mine is genshin just because I'm a hit [sic] addicted to it lol</i>
MINOR VICTIM 1	Ooo ok
ATKINSON	<i>Tbh I'm surprise you're an aam³ that actually lives around my area</i>

² "nsfw" refers to "not suitable for work" and denotes sexual activity, as opposed to "sfw" for "safe for work."

³ The abbreviation "aam" meant "adult attracted minor."

ATKINSON *I didn't think there were any in south Florida*
MINOR VICTIM 1 *I didn't think there were maps⁴ near me*
ATKINSON *Lol but here we are!*

Later, after sharing images of himself to show the Minor Victim 1 "what I look like", ATKINSON continued the conversation as follows:

ATKINSON *Anything you want to know about me? And anything else I should know about ya*
MINOR VICTIM 1 *Ahh idk can't think of much*
ATKINSON *Hmm oh how about kinks*
ATKINSON *Do you have any you like or don't like or ones you just down right don't want to@do*

Then, after about seventy minutes of Minor Victim 1 not responding, ATKINSON continued:

ATKINSON *Checking up on ya. How's school goin if ya able to talk*
ATKINSON *Oh*
ATKINSON *When do you get off school*
ATKINSON *And what way do you take home? Bus as well?*
MINOR VICTIM 1 *Yeah sorry finally got a break lol*
ATKINSON *That's ok*
ATKINSON *Glad you're able to text back*
ATKINSON *Oh and wanted to make sure this is the school*
ATKINSON *[ATKINSON sent a photograph not provided by Discord in the search warrant return]*
MINOR VICTIM 1 *Yep*
ATKINSON *Good to know sweetheart*
ATKINSON *Take a bus home or family comes pick you up after school*
MINOR VICTIM 1 *Take a bus yeah yeah*
ATKINSON *Can you sneak out at nights or do they stay up for too long*
MINOR VICTIM 1 *They stay up to long*
ATKINSON *Hm fair enough. Then it'll have to be before or after you go to school*

⁴ The abbreviation "map" meant "minor attracted person."

MINOR VICTIM 1
ATKINSON
MINOR VICTIM 1
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ATKINSON

Yeah probably
Mk. Where's you bus located at and what time ya go there in the morning. What time ya get off school
It's near my house and I get off at 2:45
Well don't want to go near your house because I know ya ain't comfortable for that type of thing yet
Yeah haha
So at least I know school address
Do you leave exactly at 2:45 and do you have any club activities
Other try an band
Nah just band
Sadly I have band today tho
What time ya get out of that. I could do something after band
I get out at 6 but mom picks me up
Hmmmm so the only time nothing happens is Tuesday huh
Mondays ah
Mondays
No band
But next Tuesday you're free
From 2:45 to 4:50 yeah
I got to go back for band ugh
Hmm do you go to any malls?
And go ahead ttyl
Oh sorry busy again
Nah that's why I said go ahead and talk to me when you're free again
You're good lol

11. On May 9, 2022, from 14:00 (UTC) through 14:12 (UTC), the following ensued:

ATKINSON
MINOR VICTIM 1
MINOR VICTIM 1
MINOR VICTIM 1
MINOR VICTIM1
ATKINSON

So where do you want to meet up in the morning?
I'm thinking uhh
Maybe since my mom knows I take the bus I could do a meet up at 7-9am
And just said I was late
But to meet I'm thinking still
Ok ok

ATKINSON

ATKINSON

ATKINSON

MINOR VICTIM 1

ATKINSON

MINOR VICTIM 1

MINOR VICTIM 1

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ATKINSON

MINOR VICTIM 1

ATKINSON

ATKINSON

MINOR VICTIM 1

ATKINSON

So I got a 2 hour window mk mk

Wanna try making this a weekly thing? And food wise what do you want

Cus I am nice. I'm not just gonna rape you and make you a cum dumpster without like feeding you. That's horrible lol.

Oo ok ok uh idk really

Hmmm. Well guess we'll just see after then. Do you usually walk to your bus stop?

Yeah yeah

But I don't wanna meet at my bus stop cause um

Ironically it's at the police station-

OOF

so hmmm maybe a block away would work

My house is legit a block away from it so it's hard doing meetups bleh

Hmmm give me an idea of what's around the area then and maybe we'll have to do a block or two

Cus what I want you to do is

Leave as early as possible and then from there I'll meet you from like the furthest of both places

Idk what's around the area

Maybe there's a little store you can go to@and then just come into my vehicle after but not sure

Ooo ok I figured a place but also idk where to go

It's like a small church in the middle of the town that people get picked up a lot so it won't be super sus plus it doesn't really matter

It's like a 5 min walk

Ok ok

Is there any vacant places around? Like around the church?

From there I mean lol

Like maybe a park

Idk really

Ok ok real quick then send me the address of the church

And then if possible how early can you leave and walk out

700 is the earliest

Ok then exactly at 7:00 leave

MINOR VICTIM 1	“*****,West Palm Beach, FL 33403 United States”
ATKINSON	<i>Ok so</i>
ATKINSON	<i>Leave as early as possible and I’ll be there by the time you arrive</i>
ATKINSON	<i>Now ironically</i>
ATKINSON	<i>Ima be in a suspicious van lol</i>
ATKINSON	<i>But it will be fine</i>
ATKINSON	<i>Jk jk but ye</i>

12. The messages suggest that Minor Victim 1 and ATKINSON met in person for sex on at least May 10, 2022, and May 16, 2022. They further planned additional in-person meetings in which ATKINSON discussed livestreaming their sexual encounters on Discord. They also discussed Minor Victim 1 producing and distributing sexually explicit material of herself to other unknown subjects and directing all proceeds to ATKINSON’s CashApp and PayPal accounts.

13. In December 2022, Discord provided ATKINSON’s Discord Account was created on April 9, 2022, phone number 786-423-6161, and email unknownvalue01001@gmail.com.

14. Verizon provided records that 786-423-6161 was assigned to ATKINSON with his address in Opa Locka, Florida.

15. In January 2023, Discord provided records of communication, images, and videos from ATKINSON’s account pursuant to a federal search warrant. ATKINSON’s account contained five images of Minor Victim 1, including two in the white van. ATKINSON’s Discord account contained multiple conversations with what appeared to be other minor-aged children. ATKINSON appeared to have solicited in person meetings with these children, as well as sexually graphic images and videos from these children.

16. In January 2023, Google provided that unknownvalue01001@gmail.com was assigned ATKINSON beginning on April 9, 2022, with 786-423-6161 as the recovery telephone

number associated with the account.

17. Minor Victim 1 reviewed three separate photographs, including the driving record photograph of ATKINSON whom she was able to identify as the Discord user she knew as “Bearie” and whom she had previously met with in person to engage in sexual encounters in his white work van.

18. ATKINSON was identified from his Florida driving record with a date of birth in 1998 and address in Opa Locka, Florida. The records indicated that ATKINSON drove a 1997 white Chevrolet van bearing Florida license plate 37D GED,

19. On October 31, 2023, the FBI executed federal search warrants at ATKINSON’s residence, vehicle, and person. FBI called ATKINSON on his cell phone, advised him they had a search warrant and he exited the residence. No other persons were present at the residence.

20. FBI agents asked ATKINSON if he would speak with them, which he agreed to do. While seated in an unlocked, unmarked FBI vehicle in front of ATKINSON’s residence, ATKINSON was advised of his *Miranda* rights, which he acknowledged understanding. ATKINSON provided that from approximately 2021 through 2023, he communicated online via Twitter and Discord to females under the age of eighteen. ATKINSON used the following usernames among others: @Jpmon8, @Mal19488673, @ECG_sans, @the_theun, and unknown_value. ATKINSON advised he communicated with girls as young as 13 years’ old. ATKINSON met these minors on “nsfw” chats on Twitter and Discord. ATKINSON explained that “nsfw” stood for “not suitable for work.” He confirmed the meanings of “AAM” and “MAP”. ATKINSON identified as being a MAP when he communicated to underage girls. ATKINSON stated, “At the end of the day, I knew it was wrong.” ATKINSON said he knew he needed to stop and that his communications went “too far.” ATKINSON admitted he did this while dating an

adult woman. Upon admitting he cheated on her, they broke up. ATKINSON described this, “morally wise, it was just wrong.”

21. ATKINSON admitted that he asked the minor-aged girls for both sexually graphic images and videos. ATKINSON received chest and vagina images and videos from approximately four or five underage females, ranging in age from 13 to 16 years’ old. In some of the videos the girls masturbated, including with foreign objects. ATKINSON purchased DoorDash food delivery orders and Roblox gift cards for the underage females but offered that he did this independently of the underage females sending him sexually explicit images and videos. Although initially ATKINSON denied meeting with any minors in person for sex, ATKINSON later admitted to meeting with two underage girls in person for sex. Both girls told ATKINSON they were virgins.

22. ATKINSON said the first underage girl he communicated with had a screen name that matched what the FBI had identified as belonging to Minor Victim 1. ATKINSON said they met in approximately April or May 2022, communicating via Twitter, Discord, and their cell phones. ATKINSON said that Minor Victim 1 identified herself as 13 years old; ATKINSON told her his age was 24 or 25 years old. ATKINSON drove his white Chevy van to Palm Beach Gardens, Florida to meet with Minor Victim 1 met approximately three to four times. A couple of times, ATKINSON picked up Minor Victim 1 before school and they had sex in ATKINSON ‘s white Chevy van. On one occasion, ATKINSON met Minor Victim 1 at her house at approximately 12 p.m. or 1 p.m. during the summer when Minor Victim 1’s parents were at work. Every time ATKINSON and Minor Victim 1 met in person, they engaged in intercourse. ATKINSON admitted he recorded the sexual encounters with his cell phone, which he sent to Minor Victim 1. ATKINSON denied sending the images or videos to anyone else. ATKINSON said he and Minor Victim 1 exchanged payments to one another for sexually explicit images and videos that Minor

Victim 1 sold of herself. ATKINSON gave Minor Victim 1 access to his CashApp account, including his username and password. He said that Minor Victim 1 sold sexually explicit images and videos of herself and directed purchasers of said images and videos to send CashApp payments to ATKINSON's CashApp account.

23. ATKINSON knew a second underage female (hereinafter referred to as "Minor Victim 2"). ATKINSON met Minor Victim 2 on Twitter sometime in 2022. Minor Victim 2 told ATKINSON she was 15 years' old. ATKINSON met with Minor Victim 2 approximately three or four times at Minor Victim 2's house in Oakland Park, Florida for sex. ATKINSON recorded their sexual encounters. ATKINSON believed he deleted the recordings when he got a new cell phone.

24. Pursuant to the federal search warrants, the FBI seized several electronic devices including ATKINSON cell phone. A preview of ATKINSON's cell phone revealed sexually explicit conversations between ATKINSON and minor females.

25. Based upon the foregoing facts, and my training and experience, I submit that there is probable cause to believe that **MALIK HOSEA ATKINSON** violated Title 18 U.S.C. § 2251 (production of child pornography) and § 2422 (enticement of a minor to engage in sexual activity) on the dates provided herein.

FURTHER YOUR AFFIANT SAYETH NAUGHT.



Sara E. Talley
SPECIAL AGENT
FEDERAL BUREAU OF INVESTIGATION

Subscribed and sworn to before me
this 1 day of November 2023



JUDGE NAME RYON M. MCCABE
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Malik Hosea Atkinson

Case No: 23-MJ-8538-RMM

Count #1:

Production of child pornography

18 U.S.C. § 2251(a)

- * **Max. Term of Imprisonment:** 30 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 15 years
- * **Max. Supervised Release:** Life (mandatory minimum term of 5 years)
- * **Max. Fine:** \$250,000 fine and a \$5,000 special assessment

Count #2:

Enticement of a minor to engage in sexual activity

18 U.S.C. § 2422(b)

- * **Max. Term of Imprisonment:** Life
- * **Mandatory Min. Term of Imprisonment (if applicable):** 10 years
- * **Max. Supervised Release:** Life (mandatory minimum term of 5 years)
- * **Max. Fine:** \$250,000 fine and a \$5,000 special assessment

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA CASE

NUMBER: 23-MJ-8538-RMM

BOND RECOMMENDATION

DEFENDANT: Malik Hosea Atkinson

Recommendation: Pre-Trial Detention
(Personal Surety) (Corporate Surety) (Cash) (Pre-Trial Detention)

By: Gregory Schiller
AUSA: Gregory Schiller

Last Known Address: 15945 NW 19TH AVENUE

OPA LOCKA, FLORIDA 33054

What Facility:

Agent(s): FBI SA Sara Talley
(FBI) (SECRET SERVICE) (DEA) (IRS) (ICE) (**OTHER**)